

REMARKS

In accordance with the foregoing, the claims 1, 3, 4, 9, 11-13, and 25-29 have been amended. Claims 1-29 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §103:

On pages 3-6 of the Office Action, the Examiner rejects claims 1-5, 7-12, 14-16, 18, 20, 21 and 25-29 under 35 U.S.C. §103(a) in view of Dekker (U.S. Patent 6,600,709) and Ichihara (U.S. Patent 6,396,792). This rejection is respectfully traversed and reconsideration is requested.

Consistent with the arguments set forth in the Amendment entered with the Request for Continued Examination on August 4, 2006, it is respectfully submitted that the combination of Ichihara and Dekker does not disclose or suggest the invention as recited in claim 1. Further, it is respectfully submitted that there is insufficient evidence of a motivation to alter the patterns of Ichihara and Dekker in a manner meeting the features of claim 1 as required to maintain a prima facie obviousness rejection, and that the Examiner has not accounted for evidence of non-obviousness of record in making the rejection.

For at least similar reasons, it is respectfully submitted that the Examiner reconsider and withdraw the rejections of claims 2-5, 7-12, 14-16, 18, 20, 21 and 25-29.

In the Office Action at pages 6-8, the Examiner rejects claims 1 and 6 under 35 U.S.C. §103 in view of Ichihara (U.S. Patent No. 6,396,792). This rejection is respectfully traversed and reconsideration is requested.

Consistent with the arguments set forth in the Amendment entered with the Request for Continued Examination on August 4, 2006, Ichihara does not disclose or suggest the invention as recited in claim 1. Further, it is respectfully submitted that there is insufficient evidence of a motivation to alter the patterns of Ichihara in a manner meeting the features of claim 1 as required to maintain a prima facie obviousness rejection, and that the Examiner has not accounted for evidence of non-obviousness of record in making the rejection.

For at least similar reasons, it is respectfully requested that the Examiner reconsider and withdraw the rejections of claim 6.

On pages 8-9 of the Office Action, the Examiner rejects claims 13 and 17 under 35

U.S.C §103(a) in view of Dekker, Ichihara and Ushiyama et al. (U.S. Publication 2002/0176338). This rejection is respectfully traversed and reconsideration is requested.

Even assuming arguendo that the Examiner's construction of Ushiyama et al. is proper, Ushiyama et al. is not relied upon and does not suggest adjusting a pulse power instead of a pulse width. Since Dekker and Ichihara are not relied upon and do not suggest such a feature, it is respectfully submitted that the combination does not disclose or suggest, among other features, "a power level between an end of the second multi-pulse and a first one of the pulses of the first multi-pulse is varied in accordance with a power level of a last one of the pulses of the second multi-pulse and a pulse duration of the power level between the end of the second multi-pulse and the first one of the pulses of the first multi-pulse" as recited in claim 13.

Additionally, the Examiner does not rely upon Ushiyama et al. as curing the above-noted defect of Dekker and/or Ichihara as applied to claim 1, from which claim 17 depends. As such, it is respectfully submitted that the combination does not disclose or suggest the features of claim 17 since the combination does not disclose or suggest the features of claim 1.

On pages 9-10 of the Office Action, the Examiner rejects claims 19 and 22 under 35 U.S.C §103(a) in view of Dekker, Ichihara and Iida et al. (U.S. Publication 2002/0027848). This rejection is respectfully traversed and reconsideration is requested.

Even assuming arguendo that the Examiner's construction of Iida et al. is proper, the Examiner does not rely upon Iida et al. as curing the above-noted defect of Dekker and/or Ichihara as applied to claim 1, from which claims 19 and 22 depend. As such, it is respectfully submitted that the combination does not disclose or suggest the features of claims 19 and 22 since the combination does not disclose or suggest the features of claim 1.

On pages 10-11 of the Office Action, the Examiner rejects claims 23 and 24 under 35 U.S.C §103(a) in view of Dekker, Ichihara and Ando (U.S. Patent 6,088,315). This rejection is respectfully traversed and reconsideration is requested.

Even assuming arguendo that the Examiner's construction of Ando is proper, the Examiner does not rely upon Ando as curing the above-noted defect of Dekker and/or Ichihara as applied to claim 1, from which claims 19 and 22 depend. As such, it is respectfully submitted that the combination does not disclose or suggest the features of claims 19 and 22 since the combination does not disclose or suggest the features of claim 1.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the

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application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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